
"SECTION 1924 PROVISIONS"

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with Section 1924.
- B. In the determination of resource eligibility, the State resource standard is \$16,824.
- C. The definition of undue hardship for purposes of determining if institutionalized spouses receive Medicaid in spite of having excess countable resources is described below:

Denial of eligibility would work an undue hardship against an institutionalized spouse (as defined in MAABD Program Manual Section 350) when ALL of the following conditions exist:

- 1. The institutionalized spouse is otherwise eligible for Medicaid; AND
- 2. The community spouse (as defined in MAABD Program Manual Section 350) is the sole owner of liquid resources OR non-liquid joint resources valued in excess of \$84,120; AND
- 3. The community spouse has refused to make such resources available to the institutionalized spouse; AND
- 4. The institutionalized spouse has insufficient funds to cover the cost of institutionalized care; AND
- 5. Without Medicaid, the institutionalized spouse would be forced to go without life sustaining medical care as determined by an individual licensed to practice medicine in the State of Nevada.

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APPENDIX 1 TO SUPPLEMENT 13 OF ATTACHMENT 2.6-A

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Nevada

SECTION 1924(c)(3)(C)

Spousal Impoverishment

An institutionalized spouse who (or whose spouse) has excess resources shall not be found ineligible under Title XIX of the Social Security Act, per Section 1924(c)(3)(C), where the State determines that denial of eligibility on the basis of having excess resources would work an undue hardship.

Ans 2-8-91